

1 Robert A. Sacks (SBN 150146)
2 (sacksr@sullcrom.com)
3 Adam S. Paris (SBN 190693)
4 (parisa@sullcrom.com)
5 Diane L. McGimsey (SBN 234953)
6 (mcgimseyd@sullcrom.com)

SULLIVAN & CROMWELL LLP
1888 Century Park East
Los Angeles, California 90067
Telephone: (310) 712-6600
Facsimile: (310) 712-8800

7 Sverker K. Hogberg (SBN 244640)
(hogbergs@sullcrom.com)
8 **SULLIVAN & CROMWELL LLP**
9 550 Hamilton Avenue
Palo Alto, California 94301
Telephone: (650) 461-5600
10 Facsimile: (650) 461-5700

Attorneys for Plaintiff SVB Financial Group

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Case No.: 5:24-cv-01321-BLF

**PLAINTIFF SVB FINANCIAL GROUP'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

The Honorable Beth Labson Freeman

Pursuant to Civil Local Rules 7-11, 79-5(e), and 79-5(f), Plaintiff SVB Financial Group (“SVBFG”) submits this administrative motion to file under seal its unredacted Opposition to the Motion to Dismiss of Defendant Federal Deposit Insurance Corporation, as Receiver for Silicon Valley Bank and Silicon Valley Bridge Bank, N.A. Page 2 of the unredacted Opposition to the Motion to Dismiss contains information derived from materials designated “Highly Confidential” by non-party the Federal Deposit Insurance Corporation, in its corporate capacity (“FDIC-C”), pursuant to the protective order (“Protective Order”) entered in SVBFG’s Chapter 11 proceeding. (*See In re SVB Fin. Grp.*, No. 23-10367-MG (Bankr. S.D.N.Y.), ECF No. 428.) Under the Protective Order, Plaintiff shall file documents and information derived from materials designated “Highly Confidential” under conditional seal. (*See id.* at ¶ 20.) An unredacted version of the Opposition to the Motion to Dismiss will be concurrently provided to the Court and served on Defendant. Based on the foregoing, Plaintiff moves to file the following under seal:

| Document | Designating Party | Reason for Sealing |
|--|--------------------------|--|
| Unredacted Opposition to the Motion to Dismiss | FDIC-C | References to materials designated “Highly Confidential” by FDIC-C |

Dated: August 12, 2024 Respectfully submitted,

/s/ Robert A. Sacks

Robert A. Sacks
Adam S. Paris
Diane L. McGimsey
SULLIVAN & CROMWELL LLP
1888 Century Park East
Los Angeles, California 90067
Telephone: (310) 712-6600
Facsimile: (310) 712-8800

Sverker K. Hogberg
SULLIVAN & CROMWELL LLP
550 Hamilton Avenue
Palo Alto, California 94301
Telephone: (650) 461-5600
Facsimile: (650) 461-5700

Attorneys for Plaintiff SVB Financial Group

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on August 12, 2024, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that on August 12, 2024, I caused the mailing of the foregoing via the United States Postal Service to the Designating Party FDIC-C.

/s/ Robert A. Sacks

Robert A. Sacks
(sacksr@sullcrom.com)
SULLIVAN & CROMWELL
1888 Century Park East
Los Angeles, California 90067
Telephone: (310) 712-6600
Facsimile: (310) 712-8800